

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 83 of 1997

For Approval and Signature:

Hon'ble MISS JUSTICE R.M.DOSHIT

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

CHAMPABEN B VAGHELA

Versus

DIRECTOR

Appearance:

MR JS RATHOD for Petitioner
MR DA BAMBHANIA for Respondent No. 1

CORAM : MISS JUSTICE R.M.DOSHIT

Date of decision: 19/03/97

ORAL JUDGEMENT

Rule returnable today. Learned Addl. Government Pleader appears and waives service of rule on behalf of the respondents. Petitioner herein has been serving under the respondents for nearly 18 years as a part time sweeper. She has made several representations to accommodate her on any suitable full time post in Class-IV service under the respondents. Learned advocate

Mr. Rathod relies upon the Government Circular [Annexure "B" to the petition] under which it is suggested that the vacancy in full time post be filled in by accommodating the part time employees who have been serving for a period of more than three years in accordance with the recruitment rules and the procedure laid down thereunder. It is not known whether the petitioner is eligible for any such post or whether she has ever made any formal application for appointment to a regular post. Be that as it may, it is clear that none of the representations made by the petitioner has been responded to by the respondents.

2. In the circumstances, petition is allowed. It is directed that the petitioner shall make a fresh representation to the respondents herein within a period of one week from today. If such representation is made, same shall be considered and decided by the respondents in accordance with law and the decision thereof shall be communicated to the petitioner. This exercise shall be completed within a period of eight weeks from the date of receipt of the representation. Rule is made absolute accordingly. There shall be no order as to costs.

*Vyas